

Manurewa Local Board Swimming Pool Fencing Exemptions Committee

OPEN MINUTES

Minutes of a meeting of the Manurewa Local Board Swimming Pool Fencing Exemptions Committee held in the Manurewa Local Board Office, Meeting Room, 7 Hill Road, Manurewa on Wednesday, 12 February 2014 at 2:30pm.

PRESENT

Chairperson	Danella McCormick
Deputy Chairperson	
Members	Michael Bailey Angela Cunningham-Marino Hon. George Hawkins, QSO

1 Welcome

The chairperson welcome everyone to the meeting.

2 Apologies

There were no apologies.

3 Declaration of Interest

There were no declarations of interest.

4 Public Forum

There were no public forum requests.

5 Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987

Resolution number MRSP/2014/1

MOVED by Member MJ Bailey, seconded by Member AL Cunningham-Marino:

- a) **That the report entitled “Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987” be received.**

CARRIED

Resolution number MRSP/2014/2

MOVED by Member MJ Bailey, seconded by Member AL Cunningham-Marino:

- b) **That the Manurewa Local Board Swimming Pooling Fencing Exemption Committee receives the application for a special exemption under section 6 of the Fencing of Swimming Pools Act 1987 by:**

- i) **Shane Powell & Gillian Rudd, 18 Ranfurly Road, Alfriston**
- ii) **Daniel Trotman, 18A Saralee Drive, Manurewa**
- iii) **Gregory Lowe, 21 Paulownia Place, Totara Heights**
- iv) **Lesley & Dean Beatson, 31 St Annes Cres, Wattle Downs**

- c) **That the Manurewa Local Board Swimming Pooling Fencing Exemption Committee notes that members Danella McCormick (Chairperson), Michael Bailey, Angela Cunningham-Marino and Hon. George Hawkins QSO, with Auckland Council Officers, Lee Manaia (Local Board Democracy Advisor) and Chant’e Bellve (Swimming Pool Inspector, Compliance and Enforcement) were in attendance at the site visits to the following applicants’ residences:**

- i) **Shane Powell & Gillian Rudd, 18 Ranfurly Road, Alfriston**
- ii) **Daniel Trotman, 18A Saralee Drive, Manurewa**
- iii) **Gregory Lowe, 21 Paulownia Place, Totara Heights**
- iv) **Lesley & Dean Beatson, 31 St Annes Cres, Wattle Downs.**

CARRIED

Resolution number MRSP/2014/3

MOVED by Member MJ Bailey, seconded by Member AL Cunningham-Marino:

- d) That the Manurewa Local Board Swimming Pool Fencing Exemptions Committee **GRANTS** the application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 by Shane Powell & Gillian Rudd, 18 Ranfurly Road, Alfriston, subject to the following conditions:
- i) That the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 a) to k) inclusive be met at all times, being:
- a. The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760mm above the surrounding ground or deck;*
 - b. The cover shall be lockable and shall be kept locked when the spa pool or hot tub is not being used or supervised. A locking device shall contain a mechanical locking mechanism or a self-locking mechanism in addition to latching shut;*
 - c. The locks shall not be able to be readily opened or released by a child of up to the age of six years;*
 - d. When locked the cover shall be fitted so that if lifted it does not release the locking device or provide a clearance greater than 100mm.*
 - e. The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years old;*
 - f. The cover shall be constructed of material that meets ASTM F1346-91 to allow easy movement on and off the spa pool or hot tub;*
 - g. The cover shall be constructed with a taper from the centre hinge to the outside edge of the cover so that water will not pond on top of it;*
 - h. The cover shall have an evenly spaced mechanical locking device as required in b) which shall be positioned to ensure the cover cannot be lifted more than 100mm by a child up to six years of age, and ensures that the cover is fixed securely to the spa pool or hot tub;*
 - i. The cover and locks shall be maintained at all times in a good state of repair;*
 - j. Warning stickers/sign shall be placed on the cover to advise that it shall be locked in place when the spa pool or hot tub is not being used or supervised;*
 - k. Removable steps, movable furniture, or other objects that can assist a young child to climb onto the cover, shall be stowed/stored away at least 1200mm from the side of the spa pool or hot tub.*
 - l. Any plant material that can support the weight of at least 20 kgs shall be no closer than the edge of the deck where the spa pool stands."*

- e) That the Manurewa Local Board Swimming Pooling Fencing Exemption Committee recommends that the applicants contact the Auckland Council Pool Inspectors for advice on how to proceed if required.

CARRIED

Resolution number MRSP/2014/4

MOVED by Member MJ Bailey, seconded by Member AL Cunningham-Marino:

- f) That the Manurewa Local Board Swimming Pool Fencing Exemptions Committee **GRANTS** the application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 by Daniel Trotman, 18A Saralee Drive, Manurewa, subject to the following conditions, noting that the applicant has added a fence, although not complying with Fencing of the Swimming Pools Act, does give some additional protection:
- i) That the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 a) to k) inclusive be met at all times, being:
- a. *The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760mm above the surrounding ground or deck;*
 - b. *The cover shall be lockable and shall be kept locked when the spa pool or hot tub is not being used or supervised. A locking device shall contain a mechanical locking mechanism or a self-locking mechanism in addition to latching shut;*
 - c. *The locks shall not be able to be readily opened or released by a child of up to the age of six years;*
 - d. *When locked the cover shall be fitted so that if lifted it does not release the locking device or provide a clearance greater than 100mm.*
 - e. *The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years old;*
 - f. *The cover shall be constructed of material that meets ASTM F1346-91 to allow easy movement on and off the spa pool or hot tub;*
 - g. *The cover shall be constructed with a taper from the centre hinge to the outside edge of the cover so that water will not pond on top of it;*
 - h. *The cover shall have an evenly spaced mechanical locking device as required in b) which shall be positioned to ensure the cover cannot be lifted more than 100mm by a child up to six years of age, and ensures that the cover is fixed securely to the spa pool or hot tub;*
 - i. *The cover and locks shall be maintained at all times in a good state of repair;*
 - j. *Warning stickers/sign shall be placed on the cover to advise that it shall be locked in place when the spa pool or hot tub is not being used or supervised;*
 - k. *Removable steps, movable furniture, or other objects that can assist a young child to climb onto the cover, shall be*

stowed/stored away at least 1200mm from the side of the spa pool or hot tub.

- l. Any plant material that can support the weight of at least 20 kgs shall be no closer than the edge of the deck where the spa pool stands.”*

- g) That the Manurewa Local Board Swimming Pooling Fencing Exemption Committee recommends that the applicants contact the Auckland Council Pool Inspectors for advice on how to proceed if required.

CARRIED

Resolution number MRSP/2014/5

MOVED by Member AL Cunningham-Marino, seconded by Member GW Hawkins:

- h) That the Manurewa Local Board Swimming Pool Fencing Exemptions Committee **DECLINES** the application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 by Gregory Lowe, 21 Paulownia Place, Totara Heights, because the top of the spa pool does not meet the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 ‘Above-ground spas and hot tubs’ 3.10 a), being:

“a. The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760mm above the surrounding ground or deck;”

- i) That the Manurewa Local Board Swimming Pooling Fencing Exemption Committee recommends that the applicants contact the Auckland Council Pool Inspectors for advice on how to proceed if required.

CARRIED

Resolution number MRSP/2014/6

MOVED by Member MJ Bailey, seconded by Member GW Hawkins:

- j) That the Manurewa Local Board Swimming Pool Fencing Exemptions Committee **GRANTS** the application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 by Lesley & Dean Beatson, 31 St Annes Cres, Wattle Downs, subject to the following conditions:

- i) That the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 ‘Above-ground spas and hot tubs’ 3.10 a) to k) inclusive be met at all times, being:

“a. The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760mm above the surrounding ground or deck;

b. The cover shall be lockable and shall be kept locked when the spa pool or hot tub is not being used or supervised. A locking device shall contain a mechanical locking mechanism or a self-locking mechanism in addition to latching shut;

c. The locks shall not be able to be readily opened or released by a child of up to the age of six years;

d. When locked the cover shall be fitted so that if lifted it does not release the locking device or provide a clearance greater than 100mm.

e. The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years

old;

- f. The cover shall be constructed of material that meets ASTM F1346-91 to allow easy movement on and off the spa pool or hot tub;*
- g. The cover shall be constructed with a taper from the centre hinge to the outside edge of the cover so that water will not pond on top of it;*
- h. The cover shall have an evenly spaced mechanical locking device as required in b) which shall be positioned to ensure the cover cannot be lifted more than 100mm by a child up to six years of age, and ensures that the cover is fixed securely to the spa pool or hot tub;*
- i. The cover and locks shall be maintained at all times in a good state of repair;*
- j. Warning stickers/sign shall be placed on the cover to advise that it shall be locked in place when the spa pool or hot tub is not being used or supervised;*
- k. Removable steps, movable furniture, or other objects that can assist a young child to climb onto the cover, shall be stowed/stored away at least 1200mm from the side of the spa pool or hot tub.*
- l. Any plant material that can support the weight of at least 20 kgs shall be no closer than the edge of the deck where the spa pool stands.”*

- k) That the Manurewa Local Board Swimming Pooling Fencing Exemption Committee recommends that the applicants contact the Auckland Council Pool Inspectors for advice on how to proceed if required.

CARRIED

6. Public Excluded

Resolution number MRSP/2014/7

MOVED by Member MJ Bailey, seconded by Member AL Cunningham-Marino:

That the Manurewa Local Board Swimming Pool Fencing Exemptions Committee:

- a) exclude the public from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

5. Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987 - Attachments

S7(2)(A) – The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.

In particular, the report contains details about access to the property that should remain confidential to protect the privacy of the applicant.

CARRIED

3.08pm

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE MANUREWA LOCAL
BOARD SWIMMING POOL FENCING EXEMPTIONS
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....